

BEFORE THE BOARD OF PUBLIC EDUCATION
OF THE STATE OF MONTANA

In the matter of the)	NOTICE OF PUBLIC HEARING
proposed amendment of)	ON PROPOSED AMENDMENT
of ARM 10.57.201,)	
10.57.215, 10.57.216,)	
10.57.301 and 10.57.606)	
relating to educator)	
licensure)	

TO: All Concerned Persons

1. On September 2, 2004 at 9:00 a.m. a public hearing will be held in the conference room of the Office of Higher Education, 2500 Broadway, Helena, Montana, to consider the amendment of the above-stated rules relating to educator licensure.

2. The Board of Public Education will make reasonable accommodations for persons with disabilities who wish to participate in this public hearing or need an alternative accessible format of this notice. If you require an accommodation, contact the Board of Public Education no later than 5:00 p.m. on August 19, 2004 to advise us of the nature of the accommodation that you need. Please contact Steve Meloy, P.O. Box 200601, Helena, MT 59620-0601, telephone: (406) 444-6576, FAX: (406) 444-0847, e-mail: smeloy@bpe.montana.edu.

3. The rules proposed to be amended provide as follows, stricken matter interlined, new matter underlined:

10.57.201 GENERAL PROVISIONS TO ISSUE LICENSES

(1) through (2) remain the same.

(3) Applicants for initial class 4 licensure who have a current career and vocational/technical license from another state in an area that can be endorsed in Montana shall be licensed as class 4A, 4B, or 4C depending on the level of education and extent of training.

(3) remains the same but is renumbered (4).

AUTH: Sec. 20-4-102, MCA

IMP: Sec. 20-4-103, MCA

Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to amend this rule because individuals moving to Montana from out of state with a current, valid license endorsed in career and vocational/technical education are not granted reciprocity under ARM 10.57.201. The streamlined application process granted to out of state license holders endorsed in other areas has not been available to career and vocational/

technical educators. The proposed amendment to this rule will make reciprocity available to this class of educators.

10.57.215 RENEWAL REQUIREMENTS (1) ~~Sixty units of renewal activities are required for renewal of class 1, 3, and 7 licenses. Sixty units of renewal activities are also required for renewal of class 2 licenses, 40 of which must be earned through college credit. Four graduate semester credits or equivalent renewal units are required for renewal of class 6 licenses. All renewal units must be earned during the valid term of the license. Requirements for renewal of Montana educator licenses are as follows:~~

(a) Class 1, 3, and 7 licenses require 60 renewal units;
(b) Class 2 licenses require college credit and renewal units as follows:

- (i) three semester credits and 15 renewal units;
- (ii) four semester credits;
- (iii) four quarter credits and 20 renewal units;
- (iv) five quarter credits and 10 renewal units; or
- (v) six quarter credits;

(c) Class 4 licenses require 60 renewal units. The requirements specific to each type of license are set forth in ARM 10.57.421, 10.57.422 and 10.57.423;

(d) Class 6 licenses require college credit or renewal units as follows:

- (i) four graduate semester credits;
- (ii) six graduate quarter credits; or
- (iii) 60 renewal units.

(2) Participation in renewal activities is equivalent to the following renewal units:

(a) one hour of attendance at a workshop = one renewal unit;

- (b) one quarter college credit = 10 renewal units;
- (c) one semester college credit = 15 renewal units.

(2) remains the same but is renumbered (3).

~~(3) Participation in renewal activities is equivalent to the following renewal units:~~

~~(a) one renewal unit = one hour of attendance at a workshop~~

~~(b) 10 renewal units = one quarter college credit~~

~~(c) 15 renewal units = one semester college credit~~

(4) All renewal units must be earned during the valid term of the license.

(5) The license holder shall be solely responsible for retaining the renewal unit verification to be used in the application for license renewal.

~~(5) State validated professional development activities other than college/university credit earned by appropriately licensed educators from states other than Montana may be accepted for the renewal of Montana licenses when the intent and structure of the process assures the meeting or exceeding of Montana renewal unit requirements for licensure.~~

(6) Educators licensed in Montana who are living out of state and participate in another state's validated professional development activities other than college/university credit may use these renewal unit activities when the intent and structure of the process assures the meeting or exceeding of Montana renewal unit requirements for licensure.

(7) Educators licensed in Montana who are living in state and who wish to participate in professional development activities offered by providers who have not been approved as a renewal unit provider pursuant to ARM 10.57.216 may apply to the state superintendent for approval prior to beginning the program.

~~(6) Renewal requirements for class 4 licenses are set forth in ARM 10.57.421, 10.57.422 and 10.57.423.~~

AUTH: Sec. 20-2-121~~(1)~~, 20-4-102, MCA

IMP: Sec. 20-4-102~~(1)~~, 20-4-108, MCA

Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to amend this rule to update and clarify existing language and detail renewal requirements to eliminate confusion. Sections (6) and (7) were partially extracted from ARM 10.57.216(1)(d) and provide clarification of the requirement to obtain prior approval for professional development activities.

10.57.216 APPROVED RENEWAL ACTIVITY (1) and (1)(a) remain the same.

(b) accredited school districts, upon submission and approval of an application for status as a provider of professional development renewal unit credit; and

(c) professional education organizations and government agencies (federal, state, tribal, county, city), upon submission and approval of an application for status as a provider of professional development renewal unit credit; and.

~~(d) an individual license holder not currently under contract or any organization not approved as a provider in Montana may request participation with an approved provider, or apply directly to the superintendent of public instruction, in advance of the beginning of a program.~~

(2) through (6) remain the same.

AUTH: Sec. 20-4-102, MCA

IMP: Sec. 20-4-108, MCA

Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to eliminate (1)(d) because it refers to individual educators rather than renewal unit providers. This language has been clarified and properly placed in ARM 10.57.215 which describes the renewal unit requirements for individual educators and when prior approval is required.

10.57.301 ENDORSEMENT INFORMATION (1) through (3) remain the same.

(4) Appropriate career and vocational/technical education areas acceptable for endorsement on the class 4 license include but are not limited to: ~~auto body, auto mechanics, building trades/construction, drafting/CAD, electronics, graphic arts, machine shop, metal working, power mechanics, welding, computer network administration, and health occupations~~ automotive technology, welding, auto body, industrial mechanics, small engines, heavy equipment operations, electronics, horticulture, agriculture mechanics, building trades, building maintenance, culinary arts, metals, drafting, computer information systems, graphic arts, aviation, health occupations, machining, and diesel mechanics.

(5) through (9) remain the same.

AUTH: Sec. 20-4-102, MCA

IMP: Sec. 20-4-103, 20-4-106, MCA

Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to amend this rule to update the Class 4 endorsements. Representatives from accreditation, licensure, and the career and vocational/technical staff at OPI met to analyze the list of available endorsements for career and vocational/technical education. Since a comprehensive review of the endorsement areas had not been done for several years, it was discovered that some endorsements listed are antiquated and not aligned with current coursework available in our schools. Other endorsements are redundant or difficult to define in terms of the vocational needs of today.

The endorsement committee reviewed each endorsement currently available and suggested changes that align with school curriculum and the demands of business and industry. Unnecessary endorsements are proposed to be eliminated, similar endorsements collapsed into one endorsement, and current endorsements renamed to broaden the number of individuals that could be endorsed in one area.

10.57.606 REPORTING OF THE SURRENDER, DENIAL, REVOCATION OR SUSPENSION OF A LICENSE (1) remains the same.

(2) Upon receipt of a license surrendered pursuant to ARM ~~10.65.605~~ 10.57.605, the superintendent of public instruction shall report to the NASDTEC clearinghouse that the superintendent accepted the surrender of a license held by the teacher, specialist or administrator.

(3) through (6) remain the same.

AUTH: Sec. 20-4-102, MCA

IMP: Sec. 20-4-110, MCA

Statement of Reasonable Necessity: The Board of Public Education has determined that it is reasonable and necessary to amend this rule to correct a typographical error.

4. Concerned persons may present their data, views or arguments, either orally or in writing, at the hearing. Written data, views or arguments may also be submitted by mail to the Board of Public Education, P.O. Box 200601, Helena, Montana 59620-0601, or by e-mail to smeloy@bpe.montana.edu and must be received no later than 5:00 p.m. on September 3, 2004.

5. Steve Meloy has been designated to preside over and conduct the hearing.

6. The Board of Public Education maintains a list of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request which includes the name and mailing address of the person to receive notices and specifies that the person wishes to receive notices regarding educator licensure or other school related rulemaking actions. Such written request may be mailed or delivered to Steve Meloy, P.O. Box 200601, Helena, Montana 59620-0601, faxed to the office at (406) 444-0847, by e-mail to smeloy@bpe.montana.edu, or may be made by completing a request form at any rules hearing held by the Board of Public Education.

7. The bill sponsor requirements of 2-4-302, MCA, do not apply. The requirements of 20-1-501, MCA, have been fulfilled. Copies of these rules have been sent to all tribal governments in Montana.

/s/ Dr. Kirk Miller
Dr. Kirk Miller, Chairperson
Board of Public Education

/s/ Steve Meloy
Steve Meloy, Rule Reviewer
Board of Public Education

Certified to the Secretary of State July 26, 2004.